

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

#### SECURELY EXPEDITING CLEARANCES THROUGH REPORTING TRANSPARENCY ACT OF 2017

Mr. MITCHELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3210) to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

##### H.R. 3210

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Securely Expediting Clearances Through Reporting Transparency Act of 2017” or the “SECRET Act of 2017”.*

#### SEC. 2. REPORT ON BACKLOG OF PERSONNEL SECURITY CLEARANCE INVESTIGATIONS.

*Not later than 90 days after the date of enactment of this Act, and quarterly thereafter for 5 years, the Director of the National Background Investigations Bureau of the Office of Personnel Management shall submit to Congress a report on the backlog of security clearance investigations that includes—*

- (1) the size of the personnel security clearance investigation process backlog; and*
- (2) the average length of time, for each sensitivity level, to carry out an initial investigation and a periodic investigation.*

#### SEC. 3. REPORT ON SECURITY CLEARANCE INVESTIGATIONS OF PERSONNEL OF THE EXECUTIVE OFFICE OF THE PRESIDENT.

*Not later than 90 days after the date of enactment of this Act, the Director of the National Background Investigations Bureau of the Office of Personnel Management shall submit to Congress a report that explains the process for conducting and adjudicating security clearance investigations for personnel of the Executive Office of the President, including White House personnel.*

#### SEC. 4. REPORT ON DUPLICATIVE COSTS.

*Not later than 120 days after the date of enactment of this Act, the Director of the National Background Investigations Bureau of the Office of Personnel Management shall submit to Congress a report on the cost of duplicating resources under the control or direction of the National Background Investigations Bureau for implementation of the plan referenced in section 951(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1564 note).*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. MITCHELL) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

##### GENERAL LEAVE

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MITCHELL. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 3210, the SECRET Act of 2017, introduced by my colleague, the gentleman from California (Mr. KNIGHT).

Mr. Speaker, the backlog of security clearance investigations causes tremendous waste for Federal employees and contractors and jeopardizes our national security.

There are thousands of jobs waiting to be filled in important national security positions and at least as many qualified Americans eagerly ready to fill them, but they can't, because they are waiting on their background investigation.

As of June 2017, the backlog stood at 650,000 clearances for employees, new hires, and contractors waiting either for an investigation or a reinvestigation. Many of those people are unable to perform their jobs while waiting, leading to contract delays and a pure waste of time.

Mr. Speaker, in order to fix the problem, you have to start by understanding the problem. Fixing the background investigation backlog requires information on the size, scope, and nature of the problem.

Currently, Congress receives information about the size of the backlog through briefings—only through briefings. We receive no regular data on the backlog and have no way to track progress over time.

My colleagues from California and Virginia, Representative KNIGHT and Representative GERALD CONNOLLY, authored this bipartisan bill to provide Congress the information it needs to assess these backlog investigations.

H.R. 3210, Securely Expediting Clearances Through Reporting Transparency Act, requires a simple quarterly report from the National Background Investigations Bureau known as NBIB.

The report will disclose the size of the backlog and the average length of an investigation broken down by level of clearance. Additionally, this bill requires two nonpartisan reports to help Congress plan potential reforms to the background investigation security clearance process.

NBIB will be required to issue a report describing the general security clearance procedure in the Executive Office of the President. The bill also requires NBIB to issue a report on the duplicative costs that would likely arise from transferring responsibility for background investigations to the Department of Defense.

Like the quarterly backlog report, this report will help Congress determine whether proposed options to reduce the backlog would do so or actually would increase it.

This bill is an important first step in addressing the security clearance investigation backlog, thereby reducing waste and increasing our Nation's security.

Mr. Speaker, I urge my colleagues to support this bipartisan good government bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend from Michigan for his remarks. Congressman STEVE KNIGHT and I introduced H.R. 3210, the Securely Expediting Clearances Through Reporting Transparency Act, or SECRET, to enable Congress to monitor the efficiency of the background investigation process. This bipartisan bill was passed unanimously by the Oversight and Government Reform Committee.

H.R. 3210 imposes a commonsense requirement on the National Background Investigations Bureau to report to Congress on backlogs that develop in the background investigation process.

Backlogs have plagued us in the past, as my friend from Michigan just said. In 2004, when the Department of Defense was the lead agency performing background investigations, the Government Accountability Office determined the backlog was 375 days, more than 1 year. Over 100,000 new investigations or reinvestigations were delayed by that backlog.

In response, Congress transferred responsibility for those investigations to the Office of Personnel Management, and more recently, created the National Background Investigations Bureau within the Office of Personnel Management.

H.R. 3210 will provide Congress with the transparency needed to conduct oversight of the National Background Investigations Bureau and to help prevent backlogs like that in the future.

I am also pleased that the bill includes an amendment I offered in committee to require a report to Congress on duplicative costs to assist us in making decisions that protect taxpayers.

Last year, a provision in the National Defense Authorization Act asked the Department of Defense to develop a separate plan, to transfer responsibility for those background investigations of DOD personnel to the Pentagon instead of the National Background Investigations Bureau.

The Bureau would continue to perform other background investigations for all the other government agencies, except the Pentagon. If that plan were implemented, resources and capabilities that are currently under the direction of the Bureau would have to be duplicated by the Department of Defense.

H.R. 3210 would require a report to Congress on the cost of those duplicative resources and efforts. For Congress

to make an informed choice on who should be responsible for conducting background investigations, we have got to know the costs.

Finally, the Oversight Committee also adopted an amendment offered by my friend and colleague, the Congressman from Illinois (Mr. KRISHNAMOORTHY), that would require a report on the process for performing and adjudicating background investigations for personnel in the Executive Office of the President.

This would help Congress ensure that those with access to the most sensitive information in the White House are thoroughly vetted.

And I thank the gentleman for his thoughtful amendment which also passed unanimously in our committee.

Mr. Speaker, I urge adoption of H.R. 3210. I am proud to be the original Democratic cosponsor.

Mr. Speaker, I reserve the balance of my time.

Mr. MITCHELL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. KNIGHT), the sponsor of the bill.

Mr. KNIGHT. Mr. Speaker, I would like to thank Mr. CONNOLLY for his help and his partnership in the SECRET Act. Today, I rise in support of this straightforward bipartisan legislation, the SECRET Act, or Securely Expediting Clearances Through Reporting Transparency Act.

I am proud to say that this bill originated from concerns voiced by my constituents. California's 25th District serves as a hub for many national security programs, and by extension, requires a highly skilled, security-cleared industrial base and workforce. But this doesn't just affect southern California. This is a national issue and must be addressed now.

Many employers are either unable to recruit workers due to excessive backlog of security clearance investigations or are forced to place employees in unfulfilling positions while they wait unacceptable amounts of time for their investigations to be completed.

□ 1415

Mr. Speaker, we are fortunate to live in a country with selfless citizens who seek to serve our Nation in critical national security positions and work towards safety at home and abroad. We need these bright minds to solve incredibly difficult problems and develop the next generation of American-made technology. We should reward them for choosing to work toward something greater than themselves, not punish them with jobs they don't want just because our bureaucracies can't move fast enough.

I introduced the SECRET Act so Congress can do its job of oversight better. The transparency afforded in this bill will better inform us of how substantial the security clearance backlog is and how long it takes for investigations to be completed. Equipped with that information, we will hold the ex-

ecutive branch accountable and keep our country safe.

I thank Chairman GOWDY and his committee staff for the diligent work on this bill, and I urge my colleagues for their support.

Mr. CONNOLLY. Mr. Speaker, I thank my colleague and friend, Mr. KNIGHT, for this bill. His leadership is really critical.

In my district, like his, thousands and thousands of jobs are open because of this issue. We simply haven't gotten the security clearances done in an expeditious way. We want them thorough, but we also, frankly, want our national security being addressed at full throttle, and that means full employment in these jobs.

I couldn't agree more with his sentiments, and I thank him again for his leadership.

Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Illinois (Mr. KRISHNAMOORTHY), my friend and colleague and one of the up-and-coming stars of the Oversight and Government Reform Committee.

Mr. KRISHNAMOORTHY. Mr. Speaker, I thank the gentleman from Virginia for yielding, and I thank Mr. KNIGHT and Mr. MITCHELL for their leadership on this. I also want to thank Ranking Member ELIJAH CUMMINGS for all that he has done to try to get the answers about executive branch background checks.

For over 6 months, various Oversight and Government Reform Committee members have been working to get basic answers from the White House about its process for granting security clearances. In a February 2017 hearing, my colleague, Congresswoman PLASKETT, asked the Director of the National Background Investigations Bureau if any senior administration officials with access to sensitive material were under criminal investigation. Chairman Chaffetz specifically asked the Office of Personnel Management to get back to Representative PLASKETT about her request. Unfortunately, neither OPM nor NBIB have answered these basic questions. That is why I am pleased that the Oversight and Government Reform Committee unanimously adopted my amendment during consideration of H.R. 3210 last week.

My amendment is very simple. It requires the NBIB to report to Congress on the process for conducting and adjudicating security clearances at the White House.

This bill is a necessary first step for Congress to conduct the oversight necessary to ensure that all personnel in the U.S. Government, regardless of administration, regardless of office, regardless of the President who happens to be in office at the time, will be thoroughly vetted and will not pose a threat to our national security.

I encourage all Members to support this bipartisan bill.

Mr. MITCHELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this issue that Mr. KRISHNAMOORTHY refers to is an issue

that spans administrations and requires attention not for partisan matters, but for the safety and security of our country.

I am pleased with the amendment. I supported the amendment in committee, and, as noted, it did pass unanimously.

The reason I support this bill is because it pursues some commonsense goals. Think about it: 650,000 outstanding requests, and the only way we get information on that is we get a briefing, no routine reporting.

I have no further speakers, and I reserve the balance of my time to close.

Mr. CONNOLLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend from Michigan for those comments, and I again thank him for his leadership. I thank Mr. KNIGHT for his vision for this bill. I am pleased to be an original cosponsor, and I am pleased to make sure this was shepherded through committee on a unanimous vote.

I think we all recognize the criticality of classified background checking to make sure people trusted with our Nation's secrets, in fact, have been properly checked and vetted. But, on the other hand, backlogs hurt our national security, and so expediting it and accelerating reporting on it are really critical, it seems to me, for both intelligence, homeland security, and defense work that protects our citizens.

This is a very important step forward, and I urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. MITCHELL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as I noted, I am new here in Congress, and I was astonished to find that we had no routine reporting on security clearances. I was astonished to find how much of a backlog we face and the damage it is doing to national security inefficiency.

I support this bill because it pursues a commonsense goal: transparency and efficient operation of the government. I support the amendment on transparency on oversight of the clearances in the White House because I think it is something that should have happened a long time ago.

Mr. Speaker, I urge my colleagues to adopt the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. MITCHELL) that the House suspend the rules and pass the bill, H.R. 3210, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ESCAMBIA COUNTY LAND CONVEYANCE ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the